

**Listing of Claims:**

1-74. (Cancelled)

75. (Currently Amended) A method of operating a gaming machine, comprising:

detecting, via the gaming machine, the presence of a passerby proximate to the gaming machine, the passerby not playing the gaming machine, the detecting including establishing a wireless transmission link between a first wireless transceiver in the gaming machine and a second wireless transceiver disposed in a portable data unit carried by the passerby, the portable data unit including information for allowing an identity of the passerby to be determined;

in response to detecting the presence of the passerby within a first predetermined distance and/or for at least a first predetermined period of time, operating the gaming machine in a first mode, ~~modifying operation of the gaming machine;~~ and

in response to detecting the presence of the passerby within a second predetermined distance and/or for at least a second predetermined period of time, operating the gaming machine in a second mode different from the first mode, the second predetermined distance being different from the first predetermined distance, the second predetermined period of time being different from the first predetermined period of time ~~receiving an input at the gaming machine from the passerby, the input being associated with a wagering game.~~

76-77. (Canceled)

78. (Original) The method of claim 75, further comprising receiving a wager from the passerby.

79. (Currently Amended) The method of claim 75, wherein the step of operating ~~modifying operation of~~ the gaming machine in a first mode includes inviting the passerby to play the gaming machine.

80. (Original) The method of claim 75, further including operating the gaming machine in an attract mode prior to the step of detecting the presence of a passerby.

81. (Original) The method of claim 75 further comprising determining the identity of the passerby.

82. (Currently Amended) The method of claim 81, wherein operating the gaming machine in a first mode includes further comprising inviting the passerby, based on the identity of the passerby, to play the gaming machine.

83. (Currently Amended) A method of operating a gaming machine, comprising:  
detecting, via the gaming machine, the presence of a first passerby proximate to the gaming machine within a first predetermined distance and/or for at least a first predetermined period of time, the passerby not interacting with the gaming machine; ~~and~~

in response to the detecting the presence of the first passerby, modifying the operation of the gaming machine according to an attract mode based on first information wirelessly communicated between a first portable data unit carried by the first passerby and the gaming machine, ~~wherein the modifying includes inviting the passerby to interact with the gaming machine;~~

detecting, via the gaming machine, the presence of a second passerby proximate to the gaming machine within a second predetermined distance and/or for at least a second predetermined period of time, the second predetermined distance being different from the first predetermined distance, the second predetermined period of time being different from the first predetermined period of time;

in response to the detecting the second passerby, modifying the operation of the gaming machine according to a play mode based on second information wirelessly communicated between a second portable data unit carried by the second passerby and the gaming machine ~~wherein the modifying includes receiving at the gaming machine a signal indicative of a wager on a game playable by the passerby on the gaming machine.~~

84. (Currently Amended) The method of claim 75, further comprising encrypting data communicated across the wireless transmission ~~communication~~ link into ciphered data.

85. (Previously Presented) The method of claim 83, further comprising encrypting the wirelessly communicated information into ciphered information.

86. (New) A method of operating a gaming terminal, comprising:  
in response to wirelessly detecting the presence of a passerby within a first predetermined distance to the gaming terminal and/or for at least a first predetermined period of time, operating the gaming terminal in a first mode wherein the gaming terminal interacts with the passerby in a first manner; and

in response to wirelessly detecting the presence of the passerby within a second predetermined distance to the gaming terminal and/or for at least a second predetermined period of time, operating the gaming terminal in a second mode wherein the gaming terminal interacts with the passerby in a second manner different from the first manner.

87. (New) The method of claim 86, wherein the first mode includes establishing an attract mode wireless link when a portable data unit carried by the passerby is detected within the first predetermined distance of the gaming terminal and/or detected for at least the first predetermined period of time.

88. (New) The method of claim 87, wherein the second mode includes establishing a play mode wireless link when the portable data unit is detected within the second predetermined distance of the gaming terminal and/or for at least the second predetermined period of time, the second predetermined distance being less than the first predetermined distance and the second predetermined period of time being greater than the first predetermined period of time.

89. (New) The method of claim 87, wherein in response to establishing the attract mode wireless link, determining the identity of the passerby through identity information associated with the passerby's portable data unit.

90. (New) The method of claim 87, wherein in response to establishing the attract mode wireless link, the gaming terminal conveys a message to the passerby.

91. (New) The method of claim 88, wherein in response to operating the gaming terminal in the second mode, disregarding individuals who pass by the gaming terminal at greater than the second predetermined distance and/or for less than the second predetermined period of time.

92. (New) The method of claim 83, wherein the modifying the operation of the gaming machine according to the play mode includes receiving at the gaming machine a signal indicative of a wager on a game playable by the passerby on the gaming machine.

93. (New) The method of claim 83, wherein the modifying the operation of the gaming machine according to the attract mode includes inviting the passerby to interact with the gaming machine.

94. (New) The method of claim 83, wherein the second predetermined distance is less than the first predetermined distance and the second predetermined period of time is greater than the first predetermined period of time.

95. (New) The method of claim 83, wherein modifying the operation of the gaming machine according to the attract mode includes determining the identity of the passerby through identity information associated with the passerby's portable data unit.

96. (New) The method of claim 83, wherein the modifying the operation of the gaming machine according to the attract mode includes conveying a message from the gaming machine to the passerby.

97. (New) The method of claim 83, wherein modifying the operation of the gaming machine according to the play mode includes disregarding individuals with a portable data unit who pass by the gaming machine at greater than the second predetermined distance and/or for less than the second predetermined period of time.

98. (New) The method of claim 75, wherein the operating the gaming machine in the first mode includes attracting the passerby to interact with the gaming machine.

99. (New) The method of claim 98, wherein the attracting the passerby includes the gaming machine conveying a message to the passerby.

100. (New) The method of claim 75, wherein the second predetermined distance is less than the first predetermined distance, and the second predetermined period of time is greater than the first predetermined period of time.

101. (New) A method of operating a gaming terminal, comprising:  
establishing a wireless transmission link with a portable data unit carried by an individual when the portable data unit is within a predetermined distance of the gaming terminal for a predetermined period of time; and  
modifying an operation of the gaming terminal differently depending upon at least one of the predetermined distance and the predetermined period of time.